

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-12150-GAO

MARK MASSEY,
Petitioner,

v.

MICHAEL CORSINI,
Respondent.

ORDER
June 10, 2010

O'TOOLE, D.J.

In response to the Court's April 23, 2010 Opinion and Order finding the petitioner's fourth claim to be unexhausted, the petitioner has moved to voluntarily dismiss that claim. That motion (dkt. no. 14) is GRANTED. Consequently, the respondent's Motion to Dismiss for Failure to Exhaust State Court Remedies (dkt. no. 9) is DENIED.

The petitioner shall file his brief on the merits of the three exhausted claims by July 9, 2010; the respondent shall file his brief on the merits of the three exhausted claims by August 20, 2010.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge